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DATE: May 12, 2005
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TO: Examiner Z. Lucas, Group Art Unit 1648
United States Patent and Trademark Office
FAX NUMBER: (703) 872-9306
FROM: Cheryl L. Becker
Patent and Trademark Department
D-0377, AP6A-1
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MESSAGE:

Applicants: Shah, et al.
Serial No.: 09/891,983
Filed: June 26, 2001
Title: METHODS FOR THE SIMULTANEOUS DETECTION OF HCV ANTIGENS AND HCV ANTIBODIES
Case No.: 6821.US.01

Enclosed herewith for the patent application identified above entitled METHODS FOR THE SIMULTANEOUS DETECTION OF HCV ANTIGENS AND HCV ANTIBODIES is the following:

- 1. Communication Regarding Deposit of Hybridoma Cell Lines (2 Pages)
- 2. Translation of Article 27-3, No. 1 of the Japanese Patent Law Enforcement Regulation (4 Pages)
- 3. US Patent No. 6623921 (19 Pages)

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PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Shah, et al.

Serial No.: 09/891,983

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For: METHODS FOR THE SIMULTANEOUS
DETECTION OF HCV ANTIGENS AND HCV
ANTIBODIES

Case No.: 6821.US.01

Examiner: Z. Lucas

Group Art Unit: 1648

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Examiner Zachariah Lucas

Group Art Unit 1648

Fax#: (703) 872-9306

Date of Deposit: 5/12/05

Kimberly A. Iorio

Kimberly A. Iorio

COMMUNICATION REGARDING DEPOSIT OF HYBRIDOMA CELL LINES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to telephone discussions with Examiner Lucas regarding the availability of the monoclonal antibodies recited in claim 8 (i.e., C11-14 and C11-10), the only issue deemed by Examiner Lucas to be preventing allowance of pending claims 8 and 9, attached hereto please find a translation of Article 27-3, No. 1 of the Japanese Patent Law Enforcement Regulation as well as a copy of U.S. Patent No. 6,623,921. (U.S. Patent No. 6,623,921 describes the deposit of hybridoma cell line HC11-10 (which produces monoclonal antibody C11-10) and hybridoma cell line HC11-14 (which produces monoclonal antibody C11-14) with The National Institute of Bioscience and Human Technology in Ibaraki, Japan (under Rule 13-2 of the PCT) on July 4, 1997.)

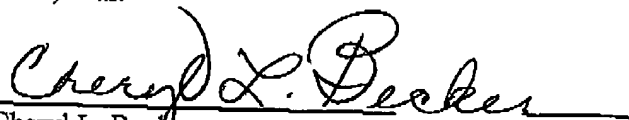
USSN: 09/891,983
Attorney Docket No.: 6821.US.01
COMMUNICATION

In accordance with the terms of Article 27-3, No. 1, Applicants' attorney respectfully submits that since "public notice" exists relating to the "patent application in respect of the invention concerning the microorganism" (i.e., U.S. Patent No. 6,623,921), samples of the monoclonal antibody-producing hybridoma cell lines would be readily available from the Japanese depository to a requestor. Thus, it is submitted that the Examiner's concerns relating to public availability of the monoclonal antibodies recited in claim 8 have been adequately addressed.

It is believed that the subject application is in condition of allowance and Notice to that effect is respectfully requested.

Should the Examiner have any questions concerning this matter, he is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Shah, et al.



Cheryl L. Becker
Registration No. 35,441
Attorney for Applicants

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